

## Message Text

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PAGE 01 STATE 157412  
ORIGIN EB-08

INFO OCT-01 ARA-14 EA-12 NEA-11 IO-14 ISO-00 L-03  
TRSE-00 JUSE-00 H-02 SSO-00 INRE-00 ICAE-00  
AID-05 CEA-01 CIAE-00 COME-00 EUR-12 FRB-01  
INR-10 NSAE-00 OPIC-06 SP-02 LAB-04 SIL-01  
AGRE-00 OMB-01 SS-15 /123 R

DRAFTED BY EB/OT/STA:C H BLUM:CMS  
APPROVED BY EB/OT/STA:T F O'HERRON  
L/EB - S BENSON (SUBS)  
TREASURY - L BARDEN (SUBS)  
-----011757 211452Z /47

O 211434Z JUN 78  
FM SECSTATE WASHDC  
TO ALL OECD CAPITALS IMMEDIATE  
AMEMBASSY BRASILIA  
USMISSION GENEVA  
AMEMBASSY MEXICO  
AMEMBASSY NEW DELHI  
AMEMBASSY SEOUL  
AMEMBASSY TAIPEI  
USMISSION USUN NEW YORK

UNCLAS STATE 157412

USOECN/USEEC ALSO FOR EMBASSY

E.O. 11652:N/A

TAGS:ETRD, US

SUBJECT: SUPREME COURT RULES ON ZENITH CASE

REF: STATE 108000 (NOTAL)

1. SUPREME COURT TODAY RULED BY A NINE TO ZERO VOTE IN  
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FAVOR OF THE USG, AFFIRMING APPEALS COURT DECISION  
UPHOLDING TREASURY DEPARTMENT INTERPRETATION OF U.S.  
COUNTERVAILING DUTY LAW. DETAILS ON OPINIONS FOLLOW.

2. AS A RESULT OF THIS DECISION, ANY SUSPENSION OF  
LIQUIDATION STEMMING FROM APRIL 12, 1977, CUSTOMS COURT  
DECISION WILL TERMINATE AND NO COUNTERVAILING DUTIES WILL

BE ASSESSED.

3. DECISION APPEARS TO COVER ENTIRE QUESTION OF REBATE OF  
INDIRECT TAXES AND THEREFORE IT IS UNLIKELY THAT TREASURY  
WILL HAVE TO ASSESS COUNTERVAILING DUTIES ON OTHER GOODS  
BENEFITTING FROM SUCH REBATES. VANCE

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** SUPREME COURT, COURT PROCEEDINGS, COUNTERVAILING DUTIES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 21 jun 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 jan 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Drafter:** C H BLUM:CMS  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014